

REMARKS

By the above amendment, a misspelling in the claim heading has been corrected and minor informalities in the claims, including clarification of the claimed subject matter of claims 1 and 29 have been presented.

The requirement for restriction to one of the inventions identified as invention I - claims 1-18, drawn to a method for plasma processing using reflective light detection of contaminants on chamber walls or suspended in the chamber, classified in class 427, subclass 8 or 569 and invention II - claims 19-35, drawn to a plasma apparatus with reflective light detecting means aimed at the wall or suspended material, classified in class 118, subclass 663+ or 723R+, is traversed as being improper, and reconsideration and withdrawal of the restriction requirement are respectfully requested.

In setting forth the basis for the restriction requirement, the Examiner indicates the requirements of MPEP §806.05(e) with regard to showing distinctness between a process and apparatus for its practice, which requirements are in terms of the process as claimed and the apparatus as claimed. The Examiner contends that in this case, the apparatus may be used for different processes "such as to sense the material of the wall or the wall liner, instead of contaminants, or to sense/detect suspended coating material instead of foreign material". Applicants submit that irrespective of this position by the Examiner, the utilization of the apparatus as suggested by the Examiner does not relate to the apparatus as claimed.

Insofar as independent claim 1 of invention I drawn to the method was not coextensive with the apparatus as recited in independent claim 19 of invention II, by the present amendment, substantially the same wording is utilized in both the method and apparatus claims. With regard to the position set forth by the Examiner that the apparatus may be used "to sense the material of the wall or the wall liner instead of contaminants", independent claim 1 of invention I recites the feature of

detecting reflected light of the projected light beam which is reflected from the inside wall of the processing chamber and obtaining information on the state of contamination of the inside wall of the processing chamber. In a substantially identical recitation, independent claim 19 of invention II directed to the apparatus, recites the detection of the light that has been reflected by the inside wall of the processing chamber, and obtaining information on the state of contamination of the inside wall of the processing chamber. While the Examiner may be correct in that the apparatus may additionally be used to sense the material of the wall or the wall liner, the apparatus as claimed recites the features of the process as claimed and therefore an additional utilization as suggested by the Examiner does not represent the practice of another and materially different process, since the features are substantially identical as claimed. Likewise, independent claim 12 of invention I directed to the method recites the features of obtaining information on suspended foreign materials in the processing chamber and obtaining information on the state of contamination of the inside wall of the processing chamber. Similarly, independent claim 29 of invention II recites obtaining information on suspended foreign materials in the processing chamber and obtaining information on the state of contamination of the inside wall of the processing chamber. Thus, the Examiner's suggestion concerning "sense/detect suspended coating material instead of foreign material" again does not relate to the claimed subject matter of the apparatus as claimed and the process as claimed. It is thus apparent that the Examiner has failed to show distinctness in accordance with the requirements of MPEP §806.05(e) and the requirement for restriction is improper and should be withdrawn.

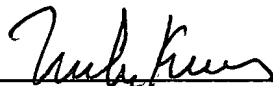
In view of the above amendments and remarks, applicants request withdrawal of the restriction requirement.

In order to provide a complete response to the restriction requirement, applicants provisionally elect, with traverse, invention I including claims 1-18.

In view of the above amendments and remarks, applicant request favorable action with respect to all claims present in this application.

To the extent necessary, applicant's petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (501.41175X00) and please credit any excess fees to such deposit account.

Respectfully submitted,



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